

THE STATE OF MONTANA

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POLITICAL PRACTICES

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COMMISSIONER OF POLITICAL PRACTICES
1205 Eighth Avenue
Post Office Box 202401
Helena, MT 59620-2401
TELEPHONE: 406-444-2942
FAX NUMBER: 406-444-1643

CAMPAIGN FINANCE AND PRACTICES

COMPLAINT FORM (07/01)

TYPE OR PRINT IN INK ALL INFORMATION ON THIS FORM EXCEPT FOR VERIFICATION SIGNATURE

PERSON BRINGING COMPLAINT (COMPLAINANT):

COMPLETE NAME

Edward A. Childers

COMPLETE MAILING ADDRESS

1755 W. Central
Missoula, MT 59801

TELEPHONE NUMBERS: WORK

HOME

406-728-3751

PERSON OR ORGANIZATION AGAINST WHOM COMPLAINT IS BROUGHT (RESPONDENT):

COMPLETE NAME

Lewie Schneller

COMPLETE MAILING ADDRESS

2215 So 13th West
Missoula, MT 59801

TELEPHONE NUMBERS: WORK

HOME

406-544-4188

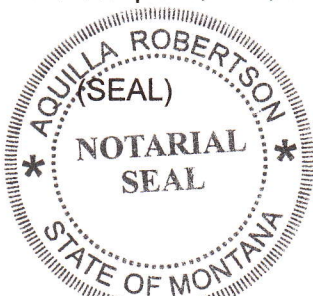
**PLEASE COMPLETE THE SECOND PAGE OF THIS FORM AND DESCRIBE IN
DETAIL THE FACTS OF THE ALLEGED VIOLATION.**

VERIFICATION BY OATH OR AFFIRMATION

STATE OF MONTANA, COUNTY OF

Missoula

I, Edward A. Childers, being duly sworn, state that the information in this
Complaint is complete, true, and correct, to the best of my knowledge and belief.



Edward A. Childers
Signature of Complainant

Subscribed and sworn to before me this 19th day of
October, 2007.

Aquilla Robertson
Notary Public

My Commission Expires:

AQUILLA ROBERTSON
NOTARY PUBLIC for the State of Montana
Residing at Lolo, Montana
My Commission Expires 12-5-2009

**CAMPAIGN FINANCE AND PRACTICES
COMPLAINT FORM**

PAGE 2

STATEMENT OF FACTS:

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

Please See Attached
- EPC Childers

**TYPE OR PRINT IN INK ALL INFORMATION ON THIS FORM EXCEPT FOR
VERIFICATION SIGNATURE**

COMPLAINTS MUST BE:

- SIGNED
- NOTARIZED
- DELIVERED IN PERSON OR BY CERTIFIED MAIL

CAMPAIGN FINANCE AND PRACTICES
COMPLAINT FORM:
STATEMENT OF FACTS.

Ed Childers
1755 W Central
Missoula, MT 59801
childers@montana.com
406.728.3751; 406.546.7681 (cell)

Montana Commissioner of Political Practices
attn: Mary Baker, Program Supervisor
1205 Eighth Avenue
Post Office Box 202401
Helena, MT 59620-2401

Dear Ms. Baker et al.:

I'm writing to submit this complaint against Mr. Lewie Schneller of 2215 So 13th West, Missoula, MT. Mr. Schneller wishes to be elected to the position of Alderman for Missoula's Ward 6.

Mr. Schneller violated

MCA 13-35-225 (3) (a) (1) (i) "Printed election material described in subsection (1) that includes information about another candidate's voting record must include (i) a reference to the particular vote or votes upon which the information is based" and

MCA 13-35-225 (3) (a) (1) (ii) "Printed election material described in subsection (1) that includes information about another candidate's voting record must include (ii) a disclosure of contrasting votes known to have been made by the candidate on the same issues if closely related in time"

He also originally failed to include an address but that seems immaterial since that oversight was later corrected.

Mr. Schneller was notified of his violations by the office of the Commissioner of Political Practices. His response was a letter to Mary Baker (a copy is on file at the Commissioner's Office); the pertinent part is headed #2, and reads as follows:

"#2. Information concerning Ed Childers voting record was received by me thru conversations with currently sitting Missoula council members, and a weekly political advisory group which I attend on a regular basis. To the best of my knowledge, the information on my brochure is true and correct."

I spoke with Mary Baker on the phone in the morning of Friday, 10/19/07. She informed me that Mr. Schneller's response did not bring him into compliance with the requirement that he include a reference to the particular vote or votes upon which the information was based, but that there wouldn't be any further action taken on the matter unless an official complaint was filed.

This is that official complaint.

I've noted that Schneller also violated the part about disclosing contrasting votes. Mr. Schneller disclosed no useful information whatsoever.

He didn't even disclose the identities of those from whom he claims to have received the information.

I've included copies of Mr. Schneller's brochure, which he says he's sure is all factual; also, I've included a second lit piece from Mr. Schneller. There's not much point trying to parse the tissue of veiled allegations and half-truths, but there is a statement that says

"Ed Childers

Proposed doubling the current city council salary from \$11,000 to \$22,000."

Complaint by Ed Childers, 1755 W Central, Missoula, MT
against Lewie Schneller, 2215 So 13th West, Missoula, MT
Violations of MCA 13-35-225

Ed Childers
1755 W Central
Missoula, MT 59801
childers@montana.com
406.728.3751; 406.546.7681 (cell)

I don't know if that qualifies as a violation under the law, since it doesn't say I actually voted for a doubling; however, I don't ever remember even proposing a doubling, so I'd sure like to know the source of that statement.

Finally, and I suppose this is a quibble brought on by my frustration that this guy thinks he can say anything he wants without any basis in fact, the next paragraph says I'm "supportative" [sic] of an infrastructure plan. I do support the F2F Plan, but I'm a graduate of the UM school of English, and if I'm ever "supportative" [sic] of anything I might be in danger of losing my degree.

I'm not sure just how much detail you need in this complaint, since Mary's already determined that Mr. Schneller hasn't complied, but here are some specific instances of statements by Mr. Schneller that I voted for things, and there's no reference to any particular vote upon which the information might be based, and no disclosure of contrasting votes. They're taken from Schneller's brochure, and they're on the 1/3 page with the heading "CANDIDATE COMPARISON CHART"

CANDIDATE COMPARISON CHART

- Voted for not allowing neighborhood protest voice against density infill and neighborhood clusters.. is this fair play??
- Voted for requiring Missoulians to vote on the Iraq War resolution
- Voted 1.6 million dollar expenditure for the renovated council chamber meeting room, which is valued only at 1/2 that cost
- Supported and voted to approve 8-million dollar overcharge for the "Splash Aquatics Pool" projects without ballot and bond approval

For what it's worth, the "neighborhood protest voice" piece is wrong, and I did not "require" anyone to vote on the Iraq War resolution, and

I'm not sure how much of the money he's talking about went to the "council chamber meeting room," which is only a part of what we paid for; also, I have no idea what the "council chamber meeting room" is valued at today; also, I'm not exactly sure what part of the facility is being called the "council chamber meeting room;" and

I could not possibly have voted to approve an 8-million dollar overcharge for the "Splash Aquatics Pool" projects, since the entire overage for the aquatics project, including Splash and Currents and several spray decks, was (as I recall) less than 3 million dollars.

The items cited above say "voted," so I'm sure that the rules apply. There are other untrue statements on the same page, such as "Favors not allowing the Pledge of Allegiance to be part of opening ceremonies of city council meetings" and "Approved double billing by forcing Mountain Water to increase user rates." As for the statement that I "increased local property taxes at 6% per year for the past 8-years," it would be good to know how Mr. Schneller arrived at that number; however, he didn't say I "voted" to do it, only that I "increased" taxes. I'd think he should support that statement, if possible.

"Mr. Schneller did make several true statements; for instance, I actually did vote to increase City Council salary by \$2,000, and I do support a countywide 2 cent per gallon gas tax.

CANDIDATE COMPARISON CHART

My opponent and incumbent,
Mr. Ed Childers,

SUPPORTS

- Council members receiving a \$2000.00 dollar pay increase... Lewie pledges to be a true public servant, and not self-serving!!
- Increasing the gas tax 2¢ per gallon...
- Aren't gas taxes high enough??
- Increased local property taxes at 6% per year for the past 8-years... Is there any end to it??
- Favors a local sales tax... Haven't we had enough??
- Voted for not allowing neighborhood protest voice against density infill and neighborhood clusters... Is this fair play??
- Voted for requiring Missoulians to vote on the Iraq War resolution... Doesn't he realize this is not city council business??
- Voted 1.6 million dollar expenditure for the renovated council chamber meeting room, which is valued only at 1/2 that cost... Does this help our city??
- Supported and voted to approve 8-million dollar overcharge for the "Splash Aquatics Pool" projects without ballot and bond approval... And he used to be our city treasurer??
- Approved double billing by forcing Mountain Water to increase user rates when city administrators refused to pay for fire-hydrant maintenance. And now, the city council and mayor do not want to refund to the taxpayers the collected \$425,000 fire-hydrant fee... This is unfair taxation without public representation!!
- Favors not allowing the Pledge of Allegiance to be part of opening ceremonies of city council meetings... Is this a good patriotic example for Missoula and her children??

ELECT LEWIE

He'll vote NO EVERYTIME on all these issues



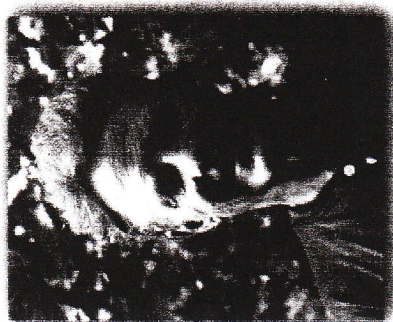
ELECT

LEWIE SCHNELLER

For City Council Ward 6

Lewie Schneller

for
City Council
Ward 6



*It's time for a listening
and truthful leader!*

ELECT

Lewie Schneller

please vote

Mail-in Ballot (August 22nd) or
September 11th 2007 (Primary)
November 6th 2007 (General)

paid for by lewie schneller for city council; sam richter, treasurer

Lewie Schneller... a new perspective

PERSONAL INFORMATION:

- Single, 64 yrs. (27 yrs. in ward 6)
- 4 children:
 - Son - College Jazz Band Director
 - Daughters - Registered Nurses & Spanish Teacher
- Born and raised in Butte
- University of Montana graduate, 1967 and 1975
- Bachelor of Arts and Master of Arts in Guidance and Counseling
- ROTC graduate - commissioned officer, U.S. Army (Vietnam Era Veteran)
- English and Sociology Teacher
- Football Coach
- Special Education Consultant
- Self Employed 21 yrs.
- Independent Contractor / Sales and Marketing
- LJS Stadium Chairs and Sales (Fund-raiser for the Missoula Y.M.C.A.)
- Public Service - Workfare Job Developer
- Entrepreneur / Inventor (U.S. patents awarded)

POLITICAL ACTIVITIES:

- Franklin to the Fort Neighborhood Council:
- Counsel member
- Leadership team member
- Alternate community form representative

POLITICAL PHILOSOPHY:

- Labor Democrat:
- Open minded (I want to hear all of your concerns)
- I pledge to help **change** and **improve** the current atmosphere of our divided city council and **restore** the balance of power
- City government must **reflect the needs**

of the people and never for special interests

- People must always have **direct access** to those whom they elect to enact changes concerning their needs

WARD 6 ISSUES:

- Affordable Housing:
 - Need for intelligent and reasonable planning for infill housing and neighborhood clusters. Let's stop building units on top of one another
 - Need to encourage more individual home ownership and fewer rental units
 - Need to stop rampant and out-of-control development, and not give "free reign" to land developers and investors with the new zoning re-write
 - Sidewalks, curbs and gutters:
 - Need to help homeowners with this expense
 - Open space and Parks:
 - Need land set aside for more open space and park development for the enjoyment of our neighbors and children
 - Traffic:
 - Ward 6 needs more safe traffic routes for the smooth flow of both vehicle and bicycle traffic
 - Russel Street and 14th Street need to be evaluated very carefully to reflect the needs of our neighbors and not of the street planners
 - Bike Lanes:
 - Must be designed to provide safe passage for bicyclists, especially in congested traffic areas
 - Need for more public meetings for special impact projects.
- Public policy must reflect public will.**

MORE ABOUT LEWIE.....

- Lewie's lived in Missoula for 34- consecutive years and knows both "the good times and the hard times."
- Lewie raised four children in Missoula.
- Lewie feels he owes a debt of gratitude to the city of Missoula ... "I loved Missoula in 1961 as a freshman at the University of Montana (former Griz football player) and I'm in still in love with our town. I've got a lot to give back to the "Last Best Place."
- This election is a great opportunity to serve all of the people of Ward 6, and the greater Missoula community ... to help heal the wounds in our city government, and to infuse it with a new sense of honesty and integrity, for ourselves and our children.
- Lewie will work hard for affordable housing and protect our neighborhoods
- Lewie will stop "blind-sided" administrative decisions without public participation.
- Lewie will help to restore tax-revenue to tax-payer control.

You Make the Difference

**PLEASE VOTE
ELECT**

LEWIE SCHNELLER

Mail-In Ballot (August 22nd) or
September 11th 2007 (primary)
November 6th 2007 (general)

If you have any questions,
please call Lewie at:
406-544-4188 or
Email: lewieward6@yahoo.com

LEWIE SCHNELLER

For Ward 6

Lewie Schneller

For City Council

2215 So 13th West

Missoula, MT 59801

www.LEWIEWARD6@yahoo.com

406-544-4188

HI FOLKS!

I want to be your next City Council representative and I need your vote to make that happen. Your vote will **determine** if we have an open and honest city council.

Martin Gutherie endorses Lewie Schneller. Marty asks all Ward 6 to vote Lewie Schneller and bring positive change to Missoula City Council..

All city council members are sworn at the beginning of their term to uphold the constitutions of the United States and the State of Montana. The Montana Constitution provides that to the fullest degree possible the public should have the right to participate in public debate. Private e-mails shared amongst six members of council during a council meeting is a part of the discussion. The Open Meeting Law requires that discussion be available at the time of the debate. Not allowing all relevant information to be included in public discussions where decision making will take place is a form of **censorship**. A professor of Political Science, stated in a Missoulain article dated September 30, 2007; he felt the failure to disclose e-mails between city council members violated the intent of the Open Meeting Law if not the letter of the law. So why would Mr Childers fail to disclose his comments on any issue before voting on that issue?

The importance of reinforcing American and Montanan values by respecting the Pledge of Allegiance was disgraced August 6, 2007 in comments of Council members opposing a permanent change to add the Pledge of Allegiance to the City Council Agenda. I support adding the Pledge of Allegiance to the council agenda and the values it embodies.

Ward 6 electorate is deserving of a representative who respects their values and opinions. I will respect and honor the Ward 6 electorate.

Respectfully,



Lewie Schneller

LEWIE SCHNELLER

* I will be more frugal and responsible with taxpayer dollars

* I believe sidewalks and curbs are nice to have, not a need to have. I will not burden any household unnecessarily.

* We have underfunded transportation needs, but burdening the poorest in Missoula is a bad idea. I will spend more of the current budget on transportation.

* Missoulians now are paying twice the same amount to the City of Missoula and Mountain Water. I would have reduced Property taxes by \$426,000.

* Current infill policies have failed to provide meaningful affordability in housing. Current policies encourage land speculation resulting in historically high real estate inflation. I would encourage direct funding to qualified individuals a portion of Community Development Block Grant monies. I would encourage employers with good wage scales to locate their business in Missoula.

ED CHILDERS

* Proposed doubling the current city council salary from \$11,000 to \$22,000.

* Ed Childers has been supportive of the Franklin to Fort Neighborhood Council Infrastructure Plan for new sidewalks, gutters and fire hydrants.

* Favors the new Transportation Impact Fee proposed by Mayor Engen.

* Supports keeping the \$426,000 in property tax that had been spent on fire hydrants each year as a re-allocation of those Property taxes.

* Favors continuing down the current infill path or even increasing crowding to make housing more extensive.

**Vote for
Lewie Schneller
City Council
Ward 6**

DATE: 10-16-07

MARY BAKER (Office of Political Practices)

1205 8th Ave.

P.O. Box 202401

HELENA, MT 59620-2401

FAX: 406-444-1643

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COMMISSIONER OF
POLITICAL PRACTICES

2007 OCT 16 A 9:44

From: Lewis J. Schneller (candidate for Missoula City Council)
2215 S. 13th St. W.
Missoula, MT 59801
406-544-4188
E-mail: Lewis.wand@Yahoo.com

P.E. Brochure information update & correction

#1. Brochure address information was inadvertently missing,
and proper address is: Lewis J. Schneller
2215 S. 13th St. W.
Missoula, MT 59801

#2. Information concerning Ed Childers voting record was
received by me thru conversations with currently sitting
Missoula Council members, and a weekly political advisory
group which I attend on a regular basis. To the best
of my knowledge, the information on my brochure is
true and correct.

Sincerely
Lewis J. Schneller
Lewis J. Schneller